

REMARKS

Claim Rejections—35 USC §103

All claims 1-20 were rejected as obvious over Childress, U.S. Publication Number 2003/0164080. Claims 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, and 20 have been amended herein to further clarify the features of the claimed invention.

Regarding independent claims 1 and 13 of the present application, Childress does not disclose a chassis for a stringed musical instrument comprising a body receiving portion that consists essentially of a basal side of the chassis, the basal side being disposed opposite the top side of the chassis that bears a bridge for elevating strings. Childress discloses an interchangeable guitar having a shell body and a main body. The main body, which bears the bridge for elevating strings, is adapted to be received by a recess in the shell body that contacts both the face of the main body opposite the side bearing the bridge as well as the sides of the main body. For instance see Childress' Figure 2, as well as Figures 12A-12H. The central cavity 36 of the shell portion 30 is disclosed to enclose all but that face of the main body 130 that bears the bridge. The central cavity 36 is disclosed (page 7 paragraph 0056) as having a standard shape for each type of shell body that allows the main body 130 to be "properly inserted and secured to the shell body." Therefore the main body rests within a cavity 36 in the shell body when the two units are assembled, and the only faces of the main body that do not contact the shell body are the top surface 136 bearing the bridge and the neck 310. Otherwise the main body of Childress' guitar is completely surrounded by the shell body.

In contrast, the chassis of the present invention as claimed in the currently amended claims has the additional limitation that the body 26 of the stringed musical instrument is affixed to the chassis 10 substantially only on the basal side of the chassis, the basal side being disposed opposite the top side of the chassis that bears the bridge. The lateral sides of the chassis make no

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substantial contact with the body in the assembled instrument. The chassis does not fit into a cavity in the body of the instrument as in the case of Childress' disclosure. The differing modes of attachment are significant in terms of the acoustical qualities of the guitar when assembled and played.

Method claim 20 of the present application is likewise amended to clarify the subject matter, adding the limitations that the body receiving portion of the chassis consists essentially of the basal side of the chassis as described above, and that the body is attached to the chassis such that the body has no substantial contact with the chassis other than at the body receiving portion of the chassis.

Figures 3 and 4 of the present application fully support these claim amendments, showing the body of the guitar touching the chassis substantially only on the basal side of the chassis and the body and the chassis being physically separated from each other elsewhere in the assembled instrument.

It would not have been obvious to provide the claimed features of the invention of the present application in light of Childress and the knowledge of a person of ordinary skill in the art. Childress teaches only that the main body of his guitar is contained within a cavity in the shell body, and he provides no motivation or incentive to mount his main body on his shell body in such a manner as to minimize the extent of direct physical contact between the two, such as when the portion of the guitar bearing the bridge is not held within a cavity in the outer structure of the instrument.

The Federal Circuit has held that "[t]he test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370 (Fed. Cir. 2000). Absent the demonstration of such a motivation or incentive to

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combine Childress' disclosure with the knowledge of a person of ordinary skill in the art, a finding of obviousness of the amended claims of the present application in view of Childress would be improper.

Indeed, Childress teaches away from the chassis according to the claimed invention in that Childress discloses (page 10 paragraph 0074) inserting the main body into the central cavity of the shell body which has substantial contact and concomitant acoustical interaction with the main body on all but one side, rather than merely connecting the body to the chassis at the basal side of the chassis.

Accordingly, Applicant respectfully requests that the amended and new claims be entered and considered, and the patent be allowed to proceed to issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey K. Cooper", with a long horizontal flourish extending to the right.

Geoffrey K. Cooper
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